

FILED

October 04, 2019

Clerk, U.S. Bankruptcy Court

IT IS ORDERED that if no response or withdrawal of the objection is filed within 35 days from the date in the FILED stamp above, the objection will be sustained without further order and the claim will be treated as provided in paragraph 3 below.

IT IS FURTHER ORDERED that, within 5 days of the FILED date of this order, the objecting party must serve, as necessary, this objection with the Notice of Objection of Claim and file a separate certificate of service.

This order supersedes and replaces the order entered 9/23/19.

David W. Hecker

DAVID W. HERCHER
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

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Case No. _____

OBJECTION TO CLAIM, AND ORDER THEREON

Debtor(s)

1. The undersigned objects to Claim No. _____ filed in the amount of \$ _____ by:

Claimant's name: _____

Proof of Claim Notice Address:

FRBP 7004(h) Service Address, if applicable (objecting party must serve)

2. The undersigned objects to such claim on the ground(s) it (check all applicable sections):

Duplicates Claim No. _____ filed by _____

Fails to assert grounds for priority.

Was not filed on behalf of a real party in interest (e.g., does not include a copy of the assignment(s) upon which it is based).

Appears to include interest or charges accrued after the filing.

Appears that value of collateral exceeds debt.

Arrearage asserted is incorrect.

The creditor filed a secured claim, but neither: (a) specified that any portion of the claim should be treated as unsecured nor (b) requested a hearing to determine the value of their collateral, and therefore the trustee objects to any portion of the claim being treated as unsecured.

The creditor filed a claim for taxes assessed against real or personal property of the debtor(s). The undersigned represents that the interest of the estate in the real or personal property against which the above taxes were assessed has no value in that the estate has no equity or interest in such property, and so under the provisions of 11 U.S.C. §502(b) no order can be made for payment of such taxes.

Proof of claim does not include documentation required by FRBP 3001(c) and (d) (e.g., a copy of the note, or documents establishing secured status).

Other:

3. The undersigned recommends said claim be (check applicable box(es)):

Disallowed in full.

(If objection is based on failure to provide documentation) Disallowed for distribution: If an amended claim including the required documentation is not filed within 30 days of the filed date noted above, no distribution on account of the claim will be made by the trustee or debtor.

Allowed as a SECURED claim for \$ _____ a PRIORITY UNSECURED claim for \$ _____; AND a NONPRIORITY UNSECURED claim for \$ _____.
[You must fill in each blank even if it is \$0.]

(If amount of arrearage is contested) The amount of the arrearage is \$ _____.

4. THE UNDERSIGNED CERTIFIES THAT:

- a. The undersigned will make any required service of this objection and file a separate certificate of service.
- b. If this objection is filed in a chapter 11 case, the undersigned has complied with LBR 3007-1(b)(2) (requiring pre-filing conferral).
- c. A copy of any Withdrawal of this Objection will be served on all parties that were served a copy of this Objection (i.e., the U.S. Trustee, any trustee, debtor(s), the creditor at the address shown above, and their respective attorneys; and, if the creditor is a federal agency, on the U.S. Attorney for the District of Oregon and the U.S. Attorney General).

DATE: _____

Objecting Party Signature AND Relation to Case

Objecting Party Name AND Service Address (Type or Print)

Objecting Party Phone Number

(If Debtor is Objecting Party) Debtor's Address AND Taxpayer I.D.#(s)
(last 4 digits)